IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.561 OF 2007
IN
FIRST APPEAL (ST) NO.1429 OF 2007

OFFICE NOTES, OFFICE MEMORANDUM OF CORAM, APPEARANCES, COURT'S ORDERS OR DIRECTIONS AND REGISTRAR'S ORDERS	COURT'S OR JUDGES ORDERS

Shri S.G.Deshpande for the Applicant.

CORAM : A. S. OKA, J.
DATE : JANUARY 29, 2007.

P.C.:

1. Heard Advocate for the Applicant. The impugned award is in the sum of Rs.25,000/- with interest at the rate of 6% per annum. The contention of the Applicant is that the vehicle in question was not insured with the Applicant insurance company on the relevant date. Therefore, even if the Applicant succeeds in the Appeal, the Applicant can recover the compensation amount from the insured. Hence, no case is made out for grant of interim relief. Application is rejected. It is, however, made clear that withdrawal of the compensation amount by the original claimant will be subject to final outcome of the Appeal.

JUDGE